

PLAINTIFFS' EXHIBIT 8

1 Q. Why was it done? Why was there a new
2 iteration?

3 A. I don't know necessarily why there was a
4 new iteration.

5 Q. The Eclipse didn't last very long, did
6 it?

7 A. I don't recall exactly how long it was on
8 the market for.

9 Q. Well, we saw somewhere it was supposed to
10 begin in April, 2010; right?

11 A. That -- it was supposed to begin?

12 Q. That G2 was stopped, according to Bret
13 Baird, and the Eclipse was supposed to be switched
14 out.

15 A. Okay.

16 MR. BROWN: Object to the form.

17 BY MR. O'CONNOR:

18 Q. Right?

19 A. Okay.

20 (Exhibit 25 marked for identification.)

21 BY MR. O'CONNOR:

22 Q. 25. It's not even a year, it's March 8,
23 2011, since the Bret Baird e-mail about the Eclipse
24 and the G2. And here you're talking about the
25 Meridian. What was up with that?

1 MR. BROWN: Object to the form.

2 BY MR. O'CONNOR:

3 Q. Why is the Eclipse coming down so fast?

4 MR. BROWN: Object to the form.

5 THE WITNESS: I have no idea.

6 BY MR. O'CONNOR:

7 Q. Did you ever ask?

8 A. No.

9 Q. I mean, you just barely got to these
10 people in 2011 about the switch-out, and now
11 they're changing it on you again.

12 MR. BROWN: Object to the form.

13 BY MR. O'CONNOR:

14 Q. Right?

15 A. Looks that way, yeah.

16 Q. Now they're talking about the Meridian;
17 right?

18 A. Looks like that's -- yes.

19 Q. But the problem is, in this e-mail,
20 March 8, 2011, that the Meridian's not even ready
21 to be sold, it's backordered. Am I reading that
22 right?

23 A. Possibly. It says --

24 Q. Well, you tell me. What's Bret telling
25 you folks?

1 A. So it's -- how I'm reading that,
2 there's -- looks like he says a delay. I don't
3 know what that means.

4 Q. Well, and they're bringing back the G2
5 for a reunion tour; right?

6 A. I don't know if that was the case.

7 Q. Well, tell me what that means. They're
8 not talking about the Eclipse staying out there,
9 they're talking about the G2. As a matter of fact,
10 let's read what it says, the first sentence. Would
11 you read that?

12 A. It says, "In the next day or so we will
13 be going on backorder for the femoral G2 filter as
14 a result of the Meridian delay."

15 Q. Continue.

16 A. "As you are aware, we had been working on
17 finishing the remaining G2 product in preparation
18 for discontinuation. But with the Meridian delay,
19 we have turned production back on temporarily."

20 Q. What did -- I'm sorry, go ahead.

21 A. Did you want me to finish that, or no?

22 Q. Sure.

23 A. "We should be out of the backorder by
24 next week."

25 Q. What did the Meridian have that the

1 Eclipse didn't?

2 A. Oh, I think this is when they had hooks
3 or anchors on the shoulders. But I can't remember
4 if that's the Meridian or the Denali, which one is
5 which. It's been a while.

6 (Exhibit 26 marked for identification.)

7 BY MR. O'CONNOR:

8 Q. It's getting a little confusing now,
9 isn't it? Because this e-mail on Exhibit 26 is
10 dated December 13, 2011; right?

11 A. Uh-huh.

12 Q. Yes?

13 A. Yes. Sorry.

14 Q. And we've gone from G2 being discontinued
15 in April of 2010 to the Eclipse, to the Meridian in
16 early 2011, and now here we are at the end of 2011
17 and they're still talking about the G2 filter being
18 discontinued. Do you see that?

19 A. I do.

20 Q. How did you keep up?

21 A. How did I keep up with what?

22 Q. Well, this changing and what you were
23 supposed to do. I mean, one minute the G2 is being
24 discontinued, the next minute it's gotta make a
25 comeback because they don't have the Meridian

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From: Hug, Tim
Sent: Tue 3/8/2011 6:44:48 PM
Importance: Normal
Subject: FW: G2 Fem Filter Backorder
Received: Tue 3/8/2011 6:44:00 PM

FYI

Tim Hug
Great Lakes District Manager

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tim.hug@crbard.com
www.bardpv.com



From:Baird, Bret
Sent: Tuesday, March 08, 2011 10:01 AM
To: TPE-PV DM's-DG
Cc: Righi, Robert; Pellicio, Jeffrey; Randall, Mike; Warren, Kathleen; Casanova, Mike
Subject: G2 Fem Filter Backorder

Dear DM's,

In the next day or so we will be going on backorder for the Femoral G2 Filter as a result of the Meridian delay. As you are aware, we had been working to finish the remaining G2 product in preparation for discontinuation, but with the Meridian delay we have turned production back on temporarily. We should be out of backorder by next week.

At this time we do not foresee a backorder for the G2 Jug system, since we have enough product to cover us.

Thanks for your patience.

Bret Baird
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